

REMARKS

Claims 1-15 are pending. The Examiner has requested restriction under 35 USC Section 121 to one of the following Groups:

Group I. Claims 1-15, in part, drawn to an isolated antibody that binds to a polypeptide at least 80% identical to SEQ ID NO.: 6, monoclonal antibodies, antibody fragments, humanized or chimeric antibodies, and labeled antibodies, classified in class 530, subclass 387.1.

Group II. Claims 1-15, in part drawn to an isolated antibody that binds to a polypeptide at least 80% identical to SEQ ID NO: 7, monoclonal antibodies, antibody fragments, humanized or chimeric antibodies, and labeled antibodies, classified in class 530, subclass 387.1.

Group III. Claims 1-15, in part, drawn to an isolated antibody that binds to a polypeptide at least 80% identical to SEQ ID NO: 8, monoclonal antibodies, antibody fragments, humanized or chimeric antibodies, and labeled antibodies, classified in class 530, subclass 387.1.

Group IV. Claims 1-15, in part, drawn to an isolated antibody that binds to a polypeptide at least 8-% identical to SEQ ID NO: 9, monoclonal antibodies, antibody fragments, humanized or chimeric antibodies, and labeled antibodies, classified in class 530, subclass 387.1.

Group V. Claims 1-15, in part, drawn to an isolated antibody that binds to a polypeptide at least 80% identical to SEQ ID NO: 10, monoclonal antibodies, antibody fragments, humanized or chimeric antibodies, and labeled antibodies, classified in class 530, subclass 387.1.

In response to the Restriction Requirement, Applicants hereby elect Group V (claims 1-15, in part) without traverse for further prosecution. With this election, claims 1-15 are pending. Applicants request further examination on the merits. Applicants expressly reserve the right under 35 U.S.C. §121 to file one or more divisional applications directed to the non-elected subject matter during the pendency of the instant application.

Claims 1-15 are amended to direct the claims to the invention of Group V. In addition, claims 1 and 2 are amended to recite ATCC accession number 203127 (rather than "any ATCC accession number shown in Table 7").

The specification is amended to list the documents to which priority is claimed in the present application. The specification is also amended to correct the ATCC accession number for DNA64852-1589 to recite "203127" (rather than 230127). Enclosed herewith is a copy of the

ATCC deposit receipt for DNA64852-1589, which shows accession number 203127. Applicants further note that the priority applications to the present application also show accession number 203127 for DNA64852-1589.

Entry of these amendments is respectfully requested. With respect to all amendments, Applicants have not dedicated or abandoned any unclaimed subject matter and moreover have not acquiesced to any objection and/or rejection made by the Office. Applicants expressly reserve the right to pursue prosecution of any subject matter or embodiments not presently claimed in one or more future or pending continuation and/or divisional applications.

In the unlikely event that the transmittal letter is separated from this document and the U.S. Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Director to charge the cost of such petitions and/or other fees due in connection with the filing of this document to our Deposit Account No. 07-0630.

Respectfully submitted,

GENENTECH, INC.

Date: July 29, 2004

By: Cara Coburn

Cara M. Coburn
Reg. No. 46,631
(650)467-6222